

Remarks

In the subject Action, the Examiner rejected claims 5 and 9-10 as being indefinite. Applicant respectfully traverses this rejection and requests reconsideration in view of the foregoing amendments to claims 5 and 9-10.

Next, the Examiner rejected claims 1-2 as being anticipated by the cited patent to Matts. Applicant respectfully traverses this rejection and requests reconsideration in view of the foregoing amendments and reasons set forth below.

Amended claim 1 recites that the rope is routed through three rope clamping spaces, and that the rope overlaps itself in one of these spaces. No such arrangement is taught or suggested by the Matts patent.

Next, the Examiner rejected claims 11-12 as being anticipated by the cited patent to Huber, and rejected claims 11-13 as being anticipated by the cited patent to Kolstedt, and rejected claims 11-13 as being anticipated by the cited patent to Weber. Applicant respectfully traverses these rejections and requests reconsideration in view of the foregoing amendments and reasons set forth below.

Amended claim 11 recites the additional steps of (1) selectively compressing the rope between the first member and the at least one bearing member; (2) selectively compressing the rope between the second member and the at least one bearing member; and (3) selectively compressing the rope between the first member and the second member. This combination of steps is neither taught nor suggested by the Huber patent, the Kolstedt patent, the Weber patent, nor any combination of these patents.

Amended claim 12, from which claim 13 depends, recites the additional steps of (1) compressing the rope between the first member and the at least one bearing member in response to pivoting of the first member in a first direction; and (2) compressing the rope between the first member and the second member in response to pivoting of the first member in an opposite, second direction. This combination of steps is neither taught nor suggested by the Huber patent, the Kolstedt patent, the Weber patent, nor any combination of these patents.

Next, the Examiner rejected claims 1-2 and 6-17 as being unpatentable over the cited patent to Hall in view of the cited patent to Fowler. Applicant respectfully traverses this

rejection and requests reconsideration in view of the foregoing amendments and reasons set forth below.

As an initial matter, Applicant respectfully questions whether proper motivation exists to combine the Hall and Fowler references in the manner suggested by the Examiner. The Fowler patent discloses a descender apparatus, and the Hall patent discloses a rope clamp. The perceived need for overlapping loops of rope on the Fowler device does not necessarily translate to a comparable need on the Hall device.

In any event, as noted above, independent claims 1, 11, and 12 have been amended to recite additional limitations. In this regard, neither the Hall patent nor the Fowler patent discloses a rope routed through three discrete rope clamping spaces (as recited in amended claim 1), nor the steps of (1) selectively compressing the rope between the first member and the at least one bearing member; (2) selectively compressing the rope between the second member and the at least one bearing member; and (3) selectively compressing the rope between the first member and the second member (as recited in amended claim 11), nor the steps of (1) compressing the rope between the first member and the at least one bearing member in response to pivoting of the first member in a first direction; and (2) compressing the rope between the first member and the second member in response to pivoting of the first member in an opposite, second direction (as recited in claim 12).


Finally, the Examiner rejected claims 3-5 as being unpatentable over the combination of Hall and Fowler discussed above, and further in view of the cited patents to Brda and/or Petzl. Applicant respectfully traverses this rejection and requests reconsideration in view of the foregoing reasons set forth above with respect to claim 1, from which claims 3-5 depend.

Respectfully submitted,

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March 11, 2003

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